

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 479

Short Title: Amend Electrolysis Practice Act/Fees. (Public)

Sponsors: Representative R. Brown (Primary Sponsor).

*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Health and Human Services, if favorable, Finance.

April 1, 2013

A BILL TO BE ENTITLED

AN ACT AMENDING THE ELECTROLYSIS PRACTICE ACT TO AUTHORIZE THE BOARD OF ELECTROLYSIS EXAMINERS TO HOLD AND USE FUNDS, TO CLARIFY CONTINUING EDUCATION REQUIREMENTS, TO MAKE OTHER CONFORMING CHANGES, AND TO AFFECT CERTAIN FEES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 88A-7 is repealed.

**SECTION 2.** G.S. 88A-8 reads as rewritten:

"§ 88A-8. ~~The Board may accept contributions, etc.~~ Custody and use of funds; contributions.

(a) All fees payable to the Board shall be deposited by the executive director or treasurer in a bank or other financial institution authorized by the Board. The bank or other financial institution shall have deposit insurance and be authorized to do business in this State. Funds received pursuant to this section and any interest earned on those funds shall be held and expended under the supervision of the Board and shall be used to pay all expenses incurred by the Board in carrying out the provisions of this Chapter.

(b) The Board may accept grants, contributions, devises, and gifts that shall be kept in the same account as the funds deposited in accordance with ~~G.S. 88A-7~~ subsection (a) of this section and shall be used to carry out the provisions of this Chapter."

**SECTION 3.** G.S. 88A-9 reads as rewritten:

"§ 88A-9. **Expenses and fees.**

(a) All salaries, compensation, and expenses incurred or allowed for the purpose of carrying out the purposes of this Chapter shall be paid by the Board exclusively out of the fees received by the Board as authorized by this Chapter, or funds received pursuant to ~~G.S. 88A-7~~. G.S. 88A-8. No salary, expense, or other obligations of the Board may be charged against the General Fund of the State. Neither the Board nor any of its officers or employees may incur any expense, debt, or other financial obligation binding upon the State.

(b) All fees may be calculated by the Board in amounts sufficient to pay the costs of administration of this act, but in no event may they exceed the following:

...	
(1b)	Examination <del>or reexamination</del> ..... 125.00
(1c)	<u>Reexamination</u> ..... <u>100.00</u>
...	
(5)	Application for certification as a Board-approved school of electrology ..... <del>500.00</del> <u>250.00</u>



1 ...  
 2 (5e) Application for certification as a Board-approved school of  
 3 laser, light source, or pulsed-light treatments ..... 500.00250.00  
 4 ...  
 5 (10) Duplicate license or certification ..... 25.00; 25.00  
 6 (11) Checks refused by the payor depository institution  
 7 or from an account with insufficient funds.....25.00."

8 **SECTION 4.** G.S. 88A-11.1(c) reads as rewritten:

9 "(c) Each laser hair practitioner shall practice laser, light source, or pulsed-light  
 10 treatments under the supervision of a physician licensed under Article 1 of Chapter 90 of the  
 11 General Statutes. The physician shall be readily available, but not required to be on site when  
 12 the laser, light source, or pulsed-light treatments are being performed. However, the authority  
 13 to regulate laser ~~clinicians~~practitioners shall remain with the Board."

14 **SECTION 5.** G.S. 88A-13 reads as rewritten:

15 **"§ 88A-13. Continuing education.**

16 (a) The Board shall ~~determine the number of hours and subject matter of~~approve all  
 17 continuing education required as a condition of license renewal. The Board may offer  
 18 continuing education to the licensees under this act.

19 (b) Upon request, the Board may grant approval to a continuing education program or  
 20 course upon finding that the program or course offers an educational experience designed to  
 21 enhance the practice of ~~electrology~~electrology or laser hair removal under this Chapter.

22 (c) The Board shall maintain and distribute, as appropriate, records of the educational  
 23 course work successfully completed by each licensee, including the subject matter and the  
 24 number of hours of each course.

25 (d) Laser hair ~~practitioners~~practitioners, electrologists, or persons licensed in both  
 26 practice areas are required to complete a ~~minimum~~total of 10 hours of continuing education  
 27 annually to maintain their licenses pursuant to rules adopted by the Board. Of the 10 continuing  
 28 education hours required in this section, laser hair practitioners shall complete at least one hour  
 29 in the subject matter of laser, light source, or pulsed-light treatments."

30 **SECTION 6.** G.S. 88A-15 reads as rewritten:

31 **"§ 88A-15. Exemptions from licensure.**

32 The following individuals shall be permitted to practice electrology without a license:

- 33 (1) Any physician licensed in accordance with Article 1 and Article 11 of  
 34 Chapter 90 of the General Statutes.
- 35 (2) A student at an approved school of electrology when electrolysis is  
 36 performed in the course of study.
- 37 (3) A person demonstrating on behalf of a manufacturer or distributor any  
 38 electrolysis equipment or supplies, if such demonstration is performed  
 39 without charge.
- 40 (4) An employee of a hospital licensed under Chapter 131E of the General  
 41 Statutes and working under the supervision of a physician licensed under  
 42 Article 1 of Chapter 90 of the General Statutes who is certified by the  
 43 American Board of ~~Dermatology~~Dermatology or the American Board of  
 44 Medicine."

45 **SECTION 7.** G.S. 88A-17.1(a) reads as rewritten:

46 **"§ 88A-17.1. Requirements for licensure as a laser hair practitioner instructor.**

47 (a) Any person who desires licensure as a laser practitioner instructor pursuant to this  
 48 Chapter shall meet the following requirements:

- 49 (1) Submit an application on a form approved by the Board.
- 50 (2) Be an electrologist licensed under this Chapter or a physician licensed under  
 51 Article 1 of Chapter 90 of the General Statutes.

- 1           (3)    Have practiced ~~laser and light-based~~ laser, light source, and pulsed-light  
2            treatments actively for at least five years immediately before applying for  
3            ~~licensure~~. licensure or been deemed qualified by the Board to be an instructor  
4            upon providing adequate documentation to the Board that the person has had  
5            experience, prior to October 1, 2007, as a laser or light-based hair removal  
6            educator.
- 7           (4)    Have at least 100 hours of training in ~~laser and light-based~~ laser, light source,  
8            and pulsed-light treatments."

9           **SECTION 8.** This act becomes effective October 1, 2013.